

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Anthony O'Leary

v.

Civil No. 07-cv-269-JM

NH State Prison, Warden

ORDER and
REPORT AND RECOMMENDATION

Petitioner was ordered to exhaust state remedies and to advise the court of the status of his state case every ninety (90) days. He has failed to provide any status report since January 31, 2008. The stay is lifted and I recommend dismissal of the petition for inclusion of unexhausted claims.

Any objections to this report and recommendation must be filed within fourteen (14) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of Law Comm. v. Gordon, 979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).



James R. Muirhead
United States Magistrate Judge

Date: December 2, 2009

cc: Anthony O'Leary, pro se